



NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor
210 Main St., 2nd Floor
Northampton, MA 01060
(413) 587-1212

COMMISSIONERS

Brian Campedelli, Chair
Natasha Yakovlev
Helen Kahn

Executive Assistant

Annie Lesko
alesko@northamptonma.gov

MEETING MINUTES

Wednesday, September 1, 2021

Virtual Meeting

4:00 p.m.

The September 1, 2021, License Commission meeting was held via remote participation.

Join Virtual Meeting

- Video Conference: <https://us06web.zoom.us/j/89694100723?pwd=THdVYWVlL2Y3UnF5MUQ3ODBXdjZDUT09>

OR

- Telephone, call: +1-929-436-2866, Meeting ID: 896 9410 0723, Password: 120971

1. **MEETING CALLED TO ORDER** by Commissioner Yakovlev at 4:02 p.m.
ROLL CALL - Commissioners Yakovlev and Kahn were present. Commissioner Campedelli was absent.
ANNOUNCEMENT OF ZOOM RECORDING made by Commissioner Yakovlev

2. **PUBLIC COMMENT** - None

3. **APPLICATION FOR SHORT TERM LIQUOR LICENSES**

The Academy of Music, Inc., 274 Main St.
Sunday, October 10, 2021, 7 - 11 p.m.
Judy Collins
All Alcohol
Request Fee Waiver

Melissa Cleary Pearson, Theater Manager, was present and stated the event will be held in the same manner as usual.

Commissioner Kahn moved to approve the short term liquor license for The Academy of Music, Inc., for October 10, 2021 from 7 to 11 p.m., including the fee waiver. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

4. **REQUEST TO RESCIND A PREVIOUSLY APPROVED SHORT TERM LIQUOR LICENSE**

The Academy of Music, Inc., 274 Main St.
Saturday, October 23, 2021, 7 - 11 p.m.
Bax & O'Brien
Wine & Malt

The clerk noted the above event has been cancelled.

Commissioner Yakovlev moved to rescind the short term liquor license for The Academy of Music, Inc. for Saturday, October 23, 2021. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

5. APPLICATION FOR SHORT TERM LIQUOR LICENSE

The ALS Association Massachusetts Chapter
October 10, 2021, 9 a.m. - 1 p.m.
Western MA Walk to Defeat ALS
Look Memorial Park, Florence
All Alcohol

Ashley Carrier, event manager for the Western Mass Walk to Defeat ALS, was present and stated that this event is held every year at Look Park with an average of about 400 people participating. The new component this year is local food and drink and the drink vendors will be Artifact Cider and Progression Brewing. Ashley Carrier noted that the area will be in the ball field and will be cordoned off.

Commissioner Kahn moved to approve the short term liquor license for The ALS Association Massachusetts Chapter for October 10, 2021, from 9 a.m. to 1 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

6. APPLICATION FOR SHORT TERM LIQUOR LICENSE

Artifact, LLC, 34 N. Maple St., Florence
Saturday, September 25, 2021, 4:00 p.m. to 10:00 p.m.
Florence Night Out (30 N. Maple St. Parking Lot)
Wine & Malt

Jake Mazar, owner of Artifact Cider, was present, along with Donnabelle Casis, Florence Night Out event organizer. Donnabelle noted that the event will be a one-night street festival from 4 to 7 p.m. on the street and starting at 7 p.m., will move off the street. Donnabelle noted that there will be several areas where people can buy and consume food and drink and Artifact Cider will have a small area in the parking lot it already operates in.

Jake Mazar noted that he will move his current outdoor dining operation about 100 feet towards the edge of the parking lot on North Maple Street

Commissioner Kahn moved to approve the short term liquor license for Artifact, LLC, for September 25, 2021 from 4 p.m. to 10 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

7. APPLICATION FOR SHORT TERM LIQUOR LICENSE

Drawing Board Brewing Company, LLC, 36 Main St., Florence
Saturday, September 18, 2021, 1:00 p.m. to 10:00 p.m.
Benefit for the Mike McNeil Organization
Wine & Malt

Corey Lynch, owner of Drawing Board Brewing Company, was present and stated the proposed event will be held similar to the previous two events. There will be indoor restrooms, two well-controlled access points with staff checking IDs. Corey noted the previous two events were very successful.

Commissioner Yakovlev moved to approve the application for short term liquor license for September 18, 2021 from 1 p.m. to 10 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

8. APPLICATION FOR A FARM WINERY LIQUOR LICENSE TO SELL AT FARMERS MARKETS & AGRICULTURAL EVENTS

Hardwick Vineyards & Winery, LLC, Hardwick, MA
Dates: Friday, September 3, 2021, 4 p.m. to 8 p.m.
Saturday, September 4, 2021, 10 a.m. to 8 p.m.
Sunday, September 5, 2021, 10 a.m. to 8 p.m.
Monday, September 6, 2021, 10 a.m. to 6 p.m.
Three County Fair

John Samek, owner of Hardwick Winery, was present and stated he has attended the Three County Fair for the last ten years. John noted he offers 1 ounce samples of wine and sells bottles to be consumed off the premises.

Commissioner Yakovlev moved to approve the farm winery liquor license for Hardwick Vineyards & Winery for Friday, September 3 through Monday, September 6, 2021. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

9. REQUEST TO RESCIND A PREVIOUSLY APPROVED SHORT TERM LIQUOR LICENSE

Building 8 Brewing, 320 Riverside Dr.
Saturday, August 28, 2021, 12:00 - 8:00 p.m.
Event: Double Dose of Doubles
Type: Wine & Malt

The clerk noted this event was cancelled.

Commissioner Kahn moved to rescind the short term liquor license for Building 8 Brewing for August 28, 2021, from 12 to 8 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

10. PUBLIC HEARING ON AN APPLICATION FOR ALTERATION OF PREMISES ON AN ANNUAL ALL ALCOHOL RESTAURANT LICENSE

Notch 8, Inc. d/b/a Union Station, Tunnel Bar, Platform Bar, The Deck
125A Pleasant St.
● Adding 4,180 sq. ft. of outdoor space

Commissioner Yakovlev moved to open the public hearing at 4:19 p.m. Commissioner Kahn seconded and the hearing was opened.

There was no public comment.

The clerk stated that there was a discussion about the pending application with the Planning office and the City Solicitor and after review the City Solicitor determined that Union Station does not have control over premises in question because of an existing easement in accordance with the lease held with the City of Northampton. The clerk noted that Jeremiah will need to work with the Planning department and City Council for an amendment to the easement.

Jeremiah Micka noted that there are not any parking spaces where the tent is currently placed but stated that he will work with the appropriate individuals to work out the issues.

Commissioner Yakovlev moved to close the public hearing at 4:23 p.m. Commissioner Kahn seconded and the public hearing was closed.

Commissioner Yakovlev moved to continue the application for extension of premises to the November 3, 2021, License Commission meeting. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

11. REQUEST BY BLUE PAWS, INC. D/B/A JJ'S TAVERN, 99 MAIN STREET, FLORENCE, TO AMEND ENTERTAINMENT LICENSE FOR THE PURPOSES OF OK'FLO'BERFEST ON SATURDAY, OCTOBER 9, 2021

Jon Neumann was present and requested an amendment to his entertainment license for October 9, 2021, only for Ok'Flo'Berfest, from 3 to 6 p.m. Jon noted he will change the direction of the band so that they play towards the building.

Commissioner Kahn moved to amend the entertainment license for Blue Paws, Inc. d/b/a JJ's Tavern, to include the allowance of a live band from 2 to 6 p.m. on Saturday, October 9, 2021, for Ok'Flo'Berfest. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

12. HEARING ON MISREPRESENTATION OF FAIR WAGE COMPLIANCE CERTIFICATIONS FOR LIQUOR LICENSES HELD BY MR. ERIC SUHER

Commissioner Yakovlev opened the hearing at 4:28 p.m. Commissioner Kahn seconded and the hearing was opened.

There was no public comment.

Eric Suher, liquor license holder for 26-28 Center Street, LLC d/b/a The Green Room and Iron Horse Ventures, Inc. d/b/a Iron Horse Music Hall, was present and stated he was surprised to learn he was being called in for a hearing because he never received notification of the citation from the Attorney General's Office and neither did his attorney. Eric noted he did not intentionally misrepresent his Fair Wage Compliance Certificates, because again, never received notice of the citation.

Eric Suher noted he will keep the License Commission abreast of any updates with the Attorney General's office and in the interim, has posted a wage bond for both entities that were cited. Eric noted that if he knew about the citation, he would have checked the proper box and would have prepared to post a wage bond.

Eric Suher noted he was not aware of the citation when he filled out the renewal paperwork - he was only aware that the Attorney General's office was seeking additional information from him.

Commissioner Yakovlev moved to close the public hearing at 4:38 p.m. Commissioner Kahn seconded and the hearing was closed.

Commissioner Yakovlev noted she was surprised that no one received the citation documents from the Attorney General's office but can see how things could have fallen through the cracks because of COVID.

Commissioner Kahn stated that without documentation saying the notices weren't received, there is nothing to contradict it and believes it was an oversight.

Commissioner Yakovlev moved to levy no penalties on Eric Suher regarding misrepresentation of Fair Wage Compliance Certificates. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

13. DISCUSSION AND VOTE TO ADOPT SECTION 7-1: PUBLIC COMMENT INTO THE RULES AND REGULATIONS OF THE NORTHAMPTON LICENSE COMMISSION

Commissioner Kahn moved to adopt Section 7-1: Public Comment, into the rules and regulations of the Northampton License Commission to include three minutes of public comment per person and

limit the public comment period to no more than 1 hour. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

14. **APPROVAL OF MINUTES**

- August 4, 2021

Commissioner Yakovlev moved to approve the August 4, 2021, minutes as written. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

15. **NEW BUSINESS**

(Reserved for topics that the Chair did not reasonably anticipate would be discussed.)

APPLICATION FOR SHORT TERM LIQUOR LICENSE

Building 8 Brewing, 320 Riverside Drive
Saturday, September 25, 2021, 11 a.m. to 8 p.m.
Wine & Malt

Commissioner Yakovlev moved to approve the short term liquor license for Building 8 Brewing on September 25, 2021, from 11 a.m. to 8 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

Commissioner Yakovlev suggested a new rule and regulation for the License Commission to discuss and vote on regarding attendance. Commissioner Yakovlev noted that there should be a reasonable expectation that all Commissioners attend so that it's clear to everyone that attendance is important. Commissioner Yakovlev noted that with the Commission being so small, when someone is absent, it leaves two people to shoulder most of the decision making.

The clerk noted she will research what other communities do and discuss a possible policy with the City Solicitor.

The clerk informed the Commission that there has been a noise complaint regarding the new entertainment at Patria. The clerk will let Patria know of the complaint.

16. **ADJOURN**

Commissioner Yakovlev moved to adjourn the meeting at 4:59 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0 and the meeting was adjourned.